

SUPERIOR COURT OF ARIZONA
IN AND FOR THE COUNTY OF APACHE

September 12, 2024

CLERK OF THE COURT
T. DeRaddo
Deputy

SPECIAL WATER MASTER
SHERRI ZENDRI

(1) In Re: *Jack G. and V. Scott Peterson*
Contested Case No: **CV6417-33-6735**
(2) In Re: *Kenneth L. and Joy Abrams*
Contested Case No: **CV6417-33-6893**

In re the General Adjudication of
All Rights to Use Water in the
Little Colorado River System and Source

FILED: 9/17/2024

In re: Initiation of Case
HSR: Silver Creek Hydrographic Survey

MINUTE ENTRY

Courtroom CCB - 301

10:31 a.m. This is the time set for a virtual/telephonic Conference regarding the initiation of this matter to determine if the landowner(s) are interested in pursuing potential water rights before Special Water Master, Sherri Zendri.

Jack G. Peterson and Victor Scott Peterson filed Statements of Claimant 39-86831 and 39-86832 on June 27, 1985, to assert claims to use water stored on land that appears to comprise Navajo County tax parcel 212-26-171, which is currently owned by Joy Abrams. Landowner, Joy Abrams, must state whether she intends to pursue any potential water rights.

A record of the proceedings is made digitally in lieu of a court reporter.

LET THE RECORD REFLECT that today's conference is being held for two cases simultaneously because there are similar issues. The two cases are: (1) In Re: *Jack G. and V. Scott Peterson*, Contested Case No: **CV6417-33-6735**; and (2) In Re: *Kenneth*

L. and Joy Abrams, Contested Case No: **CV6417-33-6893**. There are slightly different objectors in the cases to date. The two cases will remain separate, and not consolidated.

The following attorneys appear virtually/telephonically via Court Connect/Teams.

- Jennifer Wendel with the Arizona Adjudications Project on behalf of the Petersons, landowners
- Kevin Crestin and Eric Wilkins on behalf of the Arizona State Land Department
- Katrina Wilkinson on behalf of SRP
- William Crum and Alexa Penalosa on behalf of the United States
- Kaitlin Smith on behalf of ASARCO
- Katya Lancero on behalf of the Navajo Nation
- Brandon Delgado on behalf of the Hopi Tribe
- Garrett Perkins on behalf of the LCR Coalition
- Karen Nielsen on behalf of ADWR
- Joy Abram is not present, nor are they represented by counsel.

The Court notes that the land at issue in both cases is owned by Joy Abrams, who is not present, nor represented by counsel.

IT IS ORDERED rescheduling this conference in 60 days in order to allow Ms. Abrams to make an appearance and to make her claims known on the record. The Court will set a date soon.

10:35 a.m. Matter concludes.

NOTE: All court proceedings are recorded digitally and not by a court reporter. Should you want an unofficial copy of the proceedings, the parties or counsel may request a CD of the proceedings. **For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100**, or order online at ERS@superiorcourt.maricopa.gov.

Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

A copy of this minute entry will be sent to all people on the court-approved mailing list for this matter.

LATER:

Ms. Abrams announced her appearance in case W1-11-1508 at 11:00 am on September 12, 2024. She explained to the Court she was unable to connect to the 10:30 meeting. The Court notes that Ms. Abrams did attempt to join the appropriate meeting

for her claimed potential water uses and that she indicated she is interested in pursuing whatever rights she may have.

Contested case CV6417-33-6893 is a result of Watershed File Report (WFR) #33-56-ACAD-002 which investigated uses claimed by Statements of Claimant (“SOCs”) #39-86831 and #39-86832, and Statement of Claim #36-67708. ADWR found a small reservoir, Peterson Tank, used for irrigation storage, stockwatering, wildlife and recreational purposes. No irrigation or domestic use was found on the property itself.

Contested case CV6417-33-6735 is a result of WFR #33-56-007, which also investigated uses claimed by statement of claimants SOC #39-86831 and #39-86832 and found only diversion of irrigation water from Peterson Tank through an irrigation ditch to properties downstream.

Neither SOC #39-86831 nor #39-86832 have been assigned to Kenneth or Joy Abrams. However, SOC #39-91699 appears to have been filed by the Abramses on August 1, 1991. A 1991 update to WFR #33-56-ACAD-002 includes an investigation of SOC 39-91699. A copy of the updated WFR is attached to this minute entry. The Apache County docket for the Little Colorado River System shows this updated WFR was filed August 7, 1991, and no additional objections were received regarding the updated WFR.

IT IS ORDERED setting a scheduling conference for **Tuesday, November 12, 2024, at 10:00 am.** The status conference will be held using the Court Connect program. Instructions for Court Connect are attached as Attachment A. If you receive this Order by email, click on the red box “Join Court Connect Hearing” on the attached instructions to make an appearance. If you do not receive this Order by email, log into the Court Connect program on the internet by typing <https://tinyurl.com/specialwatermaster>. If you do not have access to the internet, you may attend telephonically using the telephone number and access code included in the instructions for Court Connect.

Instructions for connecting to the conference telephonically:

Dial-in number: (917)781-4590
Dial-in access Code: 688 970 203#



Court Connect Hearing Notice for *In re Jack G. and V. Scott Peterson* and *In re Kenneth L. and Joy Abrams*

This hearing will be conducted through the new Court Connect program offered by the Superior Court of Arizona in Maricopa County. This new and innovative program allows Court participants to appear online, rather than in a physical courtroom. Hearings are preferably conducted by videoconference but can also be conducted by phone. Lawyers (and self-representing litigants) are responsible for distributing this notice to anyone who will be appearing on their behalf.

All participants must use the JOIN COURT CONNECT HEARING button or the dial in information below to participate.

Participants: Please follow the steps below to participate in the remote proceeding.

1. Click the JOIN COURT CONNECT HEARING button below.
2. Enter your full name and role in name field.
3. Wait for the facilitator to admit you to the proceeding.

Remember to keep this email handy so you can use it to participate in the following proceeding.

In re Jack G. and V. Scott Peterson, Contested Case No. CV6417-33-6735 &

In re Kenneth L. and Joy Abrams, Contested Case No. CV6417-33-6893

Start Date/Time: Tuesday, November 12, 2024, at 10:00 am

JOIN COURT CONNECT HEARING

Dial-in Information: +1 917-781-4590

Private Dial-in Information: for privacy purposes, you can block your phone number by dialing *67 +1 917-781-4590

Dial-in Access Code: 688 970 203#

Tiny URL: <https://tinyurl.com/specialwatermaster>

To ensure an optimal experience, please review the brief Court Connect training prior to the hearing: [Here](#)